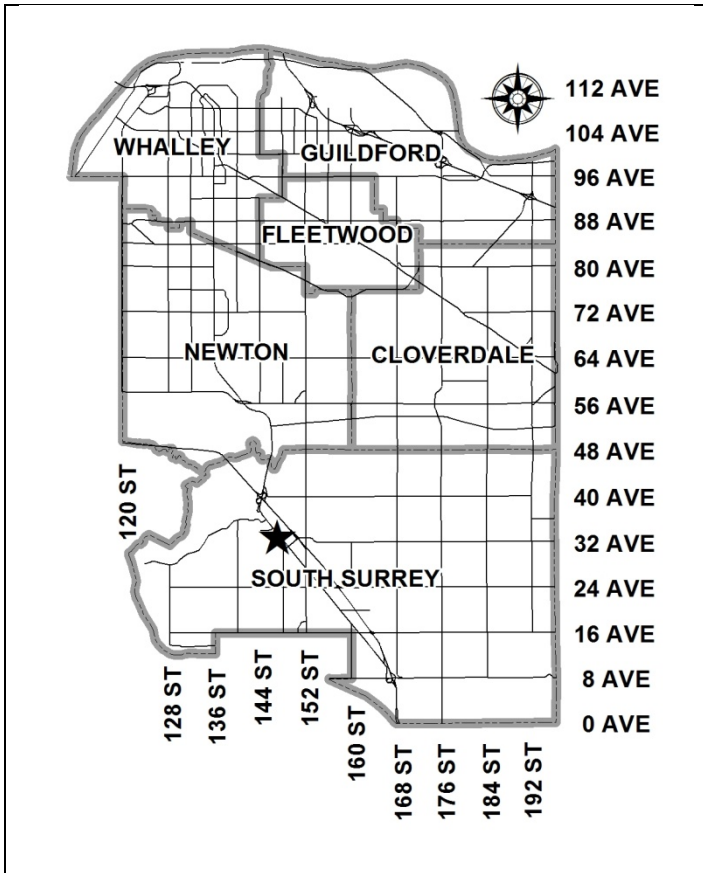


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7912-0352-00

Planning Report Date: February 18, 2013



PROPOSAL:

- **Development Variance Permit**
 in order to permit the construction of a double car garage and to allow stairs to encroach into the 6.0 metre separation area between the principal dwelling and detached garage.

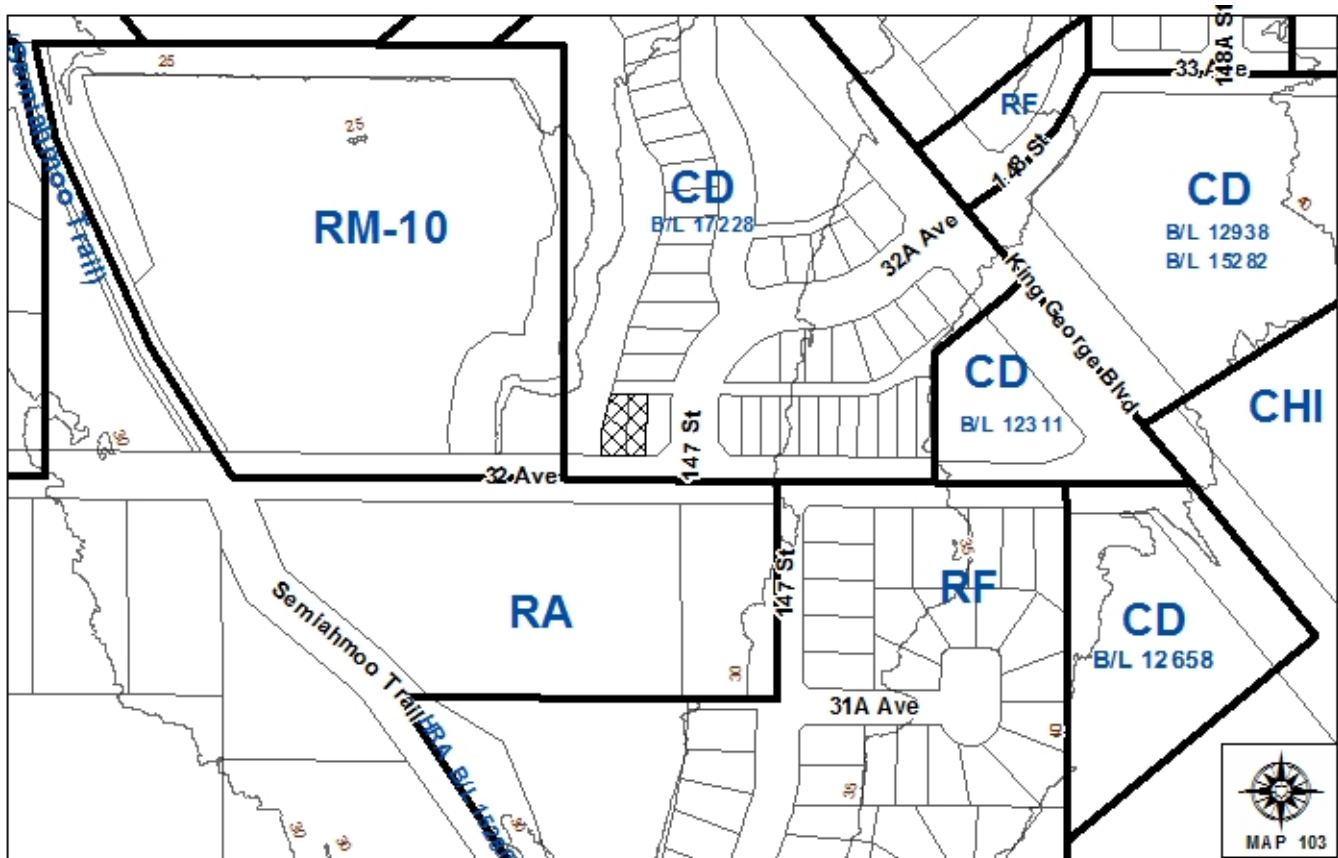
LOCATION: 14687 - 32 Avenue
 14691 - 32 Avenue

OWNER: Elgin Oaks Homes Ltd

ZONING: CD (By-law No. 17228)

OCP DESIGNATION: Urban

LAP DESIGNATION: Clustering at Urban Single Family Density (8 upa)



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- A relaxation of the side-yard setback of the CD zone (By-law No. 17228) is required in order to accommodate construction of a 2-car (side-by-side) garage at the rear of Lot 1.
- A relaxation of the 6.0 metre (19.7 ft.) separation between the principal dwelling and the detached garage is required in order to accommodate the rear exit landing and stairs from the main floor to the back yard on Lots 1 and 2.

RATIONALE OF RECOMMENDATION

- Lot 1 is an irregular shaped small lot which has generous frontage along 32nd Avenue at 12.3 metres (40.0 ft.), but narrows to 7.5 metres at the rear. This narrow width at the rear does not allow enough space to accommodate the minimum sized 2 car garage while adhering to the required side yard setback from each property line and minimum separation distance between the garage and the principal building.
- The applicant has agreed to register a restrictive covenant prohibiting a secondary suite on Lot 1, as there is insufficient space to accommodate a third parking stall.
- At 6.47 metres (21.2 ft.), the rear yard separation distance is 0.5 metres (1.5 ft.) deeper than the 6.0 metre (19.7 ft.) minimum requirement of the CD zone. Livability issues arise without ease of access into the rear yard, and the proposed stairs occupy roughly 1.7 square metres (18.0 sq. ft.), a relatively small area of the rear yard.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7912-0352-00 (Appendix II) varying the following, to proceed to Public Notification:
 - (a) To reduce the CD Zone (By-law No. 17228) minimum side yard setback for a detached garage from 2.8 metres (9.2 ft.) to 1.2 metres (4.0 ft.) on Lot 1; and
 - (b) To reduce the CD Zone (By-law No. 17228) minimum separation between the principal dwelling and detached garage from 6.0 metres (19.7 ft.) to 5.2 metres (17.0 ft.) on Lots 1 & 2.
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) registration of a Section 219 Restrictive Covenant on Lot 1 prohibiting a secondary suite.
 - (b) Submission of a finalized site plan to the satisfaction of the Planning & Development Department.

REFERRALS

Engineering: The Engineering Department has no objections as there are no additional Engineering servicing requirements relative to the proposal.

Parks and Recreation: Parks and Recreation has no objections to the proposal.

SITE CHARACTERISTICS

Existing Land Use: Vacant lots.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	Vacant Lot	Urban/Clustering At Urban Single Family Density (8 u.p.a.)	CD (By-law No. 17228) Block A

Direction	Existing Use	OCP/LAP Designation	Existing Zone
East:	Vacant Corner Lot	Urban/Clustering At Urban Single Family Density (8 u.p.a.)	CD (By-law No. 17228) Block A
South (Across 32 Avenue):	Single Family Dwelling	Urban/Bubble Buffer & Clustering At Suburban Single Density (2 u.p.a.)	RA
West:	City Park (Semiahmoo Trail)	Urban/Bubble Buffer	CD (By-law No. 17228) Block D

DEVELOPMENT CONSIDERATIONS

Background

- The subject site is located on the north side of 32 Avenue and adjacent to a portion of the Semiahmoo Trail. The site is designated "Urban" in the Official Community Plan (OCP) and "Urban/Clustering at Urban Single Family Density (8 u.p.a.)" in the King George Highway Corridor Local Area Plan (LAP).
- The subject properties are currently zoned "Comprehensive Development Zone (CD)" (By-law No. 17228) and were created in September 2011 under application 7909-0236-00 as part of an application comprised of 43 single family small lots, 16 townhouse units, and open space. They front 32 Avenue and have laneway access from the rear.

Discussion

- Lot 1 meets the minimum area and frontage requirements for a "Small Lot" under the CD zone (By-law No. 17228) (Type I), however, it is irregularly shaped with a generous frontage of 12.3 metres (40 ft.) and tapers to 7.5 metres (25.0 ft.) at the rear. This irregular configuration is due to the alignment of the Semiahmoo Trail, which flanks the west side of the lot at an angle.
- The CD zone (By-law No. 17228) allows a minimum side yard setback of 0.0 metres for detached garages on one side of the lot, provided that the opposite side-yard setback of the garage is at least 2.8 metres. This typically allows for the accommodation of an exterior parking pad.
- The narrow width of Lot 1 does not allow enough space to accommodate the minimum sized 2 car garage while adhering to the CD zone (By-law No. 17228) side yard setbacks and minimum separation distance from the garage to the principal building.
- Slightly deeper than average sized garages are proposed on Lots 1 & 2 to provide additional space for parking and a modest amount of storage. The rear exit landings from the main floor of the principal dwelling with stairs that lead to the back yard at grade are located between the dining area and great room.

- As a shallower profile is typical for the detached garage on a "Small Lot", the lots are not deep enough to accommodate both features without compromising the 6.0 (19.7 ft.) separation between the principal building and detached garage. As a result the rear exit stairs protrude 0.7 metres (2.3 ft.) into the required separation area.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the CD Zone (By-law No. 17228) minimum side yard setback for *accessory buildings* and *structures* from 2.8 metres (9.2 ft.) to 1.2 metres (4.0 ft.) on Lot 1.

Applicant's Reasons:

- The geometry of Lot 1, combined with the setback requirements of the CD zone, prohibits the applicant from being able to construct a 2-car side-by-side garage at the rear of the lot. Most other lots in the subdivision, created at the same time, do not present this problem.

Staff Comments:

- There are several other similar-sized "Type I" lots within the vicinity of the subject properties, also utilizing laneway access with double-car garages.
- The City has experienced significant on and off-street parking demand associated with single family small lot zones. Lot 1 fronts a major collector road (32 Avenue).
- While on-street parking is available in front of the subject properties, it is limited to one space per lot and intended for visitors and delivery services.
- Lot 1 is not wide enough to accommodate a third parking space on a parking pad next to the garage. The applicant will be required to register a Section 219 restrictive covenant to provide notice to future owners that a secondary suite is prohibited as a result of the parking limitation. The applicant is aware of and has agreed to this requirement.
- The reduced setbacks will have no impact on the use of or access to neighbouring property, which happens to be the City Park (Semiahmoo Trail).
- Staff support the proposed variance with the above-mentioned condition.

(b) Requested Variance:

- To reduce the CD Zone (By-law No. 17228) minimum separation between the *principal building* and *accessory buildings* and *structures* of the CD Zone from 6.0 metres (19.7 ft.) to 5.2 metres (17.0 ft.) on Lots 1 & 2.

Applicant's Reasons:

- The portion of the building encroaching into the separation area is approximately 1.7 square metres (18.0 sq. ft.). Moving the rear exit door to one of the corners of the house reduces functionality of the main floor layout by breaking up either the dining area or the great room.

Staff Comments:

- The proposed separation area exceeds the minimum by 0.5 metres (1.5 ft.); the landing and stairs actually encroach into the 6.0 metre (19.7 ft.) minimum by 0.7 square metres (2.3 ft.).
- The stairs and landing provide ease of access to back yard amenities through a rear exit door aligned with a natural “hallway” between the open-concept dining area and great room, making better use of the available interior space.
- The additional half metre in the remainder of the separation area represents a gain of approximately 4.0 square metres (43.0 sq. ft.) in the rear yard area. At 0.7 square metres (2.3 ft.) deep and 2.4 metres (7.9 ft.) wide, the total encroachment area amounts to approximately 1.7 square metres (18.0 sq. ft.), which results in a small gain of approximately 2.3 square metres (25.0 sq. ft.) of rear yard area.
- Staff support the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary, and Development Data Sheet
Appendix II.	Engineering Comments
Appendix III.	Development Variance Permit 7912-0230-00
Appendix IV.	Draft Site Plans

Original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

NA/da

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DEVELOPMENT DATA SHEET

Existing Zoning: CD (B/L 17228)

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	250+250	306+256
Net Total	250+250	306+256
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	52	41 - 49
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front (32 Avenue)	3.5	3.54
Rear	0.5	0.5
Side #1 (West)	2.8	1.2 (DVP Req'd)
Side #2 (East)	2.8	2.8
BUILDING HEIGHT (in metres)	9.5	9.5
BUILDING/GARAGE SEPARATION (in metres)	6.0	6.47
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential (in square metres)	173/lot	168/lot
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

ENG COMMENTS

APPENDIX II

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7912-0352-00

Issued To: Elgin Oaks Homes Ltd

("the Owner")

Address of Owner: 14636 58 AVE
SURREY BC V3S 1S2

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.

2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 028-685-831
LT 1 DL 155 GP 2 PLBCP49250
14687 32 Ave

Parcel Identifier: 028-685-849
LT 2 DL 155 GP 2 PLBCP49250
14691 32 Ave

(the "Land")

3. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

(a) In Section F.2 of Part 2 of Surrey Zoning By-law, 1993, No. 12000, Amendment By law, 2011, No. 17228, the minimum side yard setback is varied from 2.8 metres (9.2 ft.) to 1.2 metres (4.0 ft.) on Lot 1.

(b) In Section F.2. of Part 2 of Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2011, No. 17228, the minimum separation distance between a principal dwelling and an accessory building or structure (specifically, a garage) is varied from 6.0 metres (19.68 ft.) to 5.2 metres (17.06 ft.) on Lots 1 and 2.

4. This development variance permit applies to only the portion of the buildings and structures on the Land shown on the attached drawings numbered Schedule A (1) through to and including A (2) (the "Drawings"), which are attached hereto and form part of this

development variance permit. The siting of buildings on the Land shall be in accordance with that shown on Schedule A.

5. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
6. This development variance permit shall lapse if the Owner does not substantially start any construction with respect to which this development variance permit is issued, within two (2) years after the date this development variance permit is issued.
7. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
8. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan



SITE PLAN

SCALE 1/100 (METRIC)

LOT CALCULATIONS: CD BYLAW NO. 17228

LOT AREA = 305.9 SQ.M. (3292.7 SQ.FT.)

FLOOR AREA RATIO:
MAX. ALLOWABLE FLOOR AREA = 1865 SQ.FT.

PROPOSED:

HOUSE = 1646

ATTIC/UTILITY = 0 SQ.FT. (COUNT 160 SQ. FT.)

TOTAL = 1806 SQ.FT.

PROPOSED:

GARAGE = 386 SQ.FT. (MAX 400 SQ.FT.)

SITE COVERAGE:

MAX. ALLOWABLE @ 0.52 = 1712.2 SQ.FT.

PROPOSED DWELLING = 969.4 SQ.FT.

GARAGE = 386.0 SQ.FT.

TOTAL PROPOSED = 1355.4 SQ.FT.

EXISTING UNDERGROUND BASEMENT VOLUME:

AVG. BLDG. GRADE =
(27.82 + 28.42 + 29.10 + 28.74) / 4 = 28.52

50% UNDERGROUND ACHIEVED AT SLAB LEVEL
(28.52 - 1.39) = 27.13

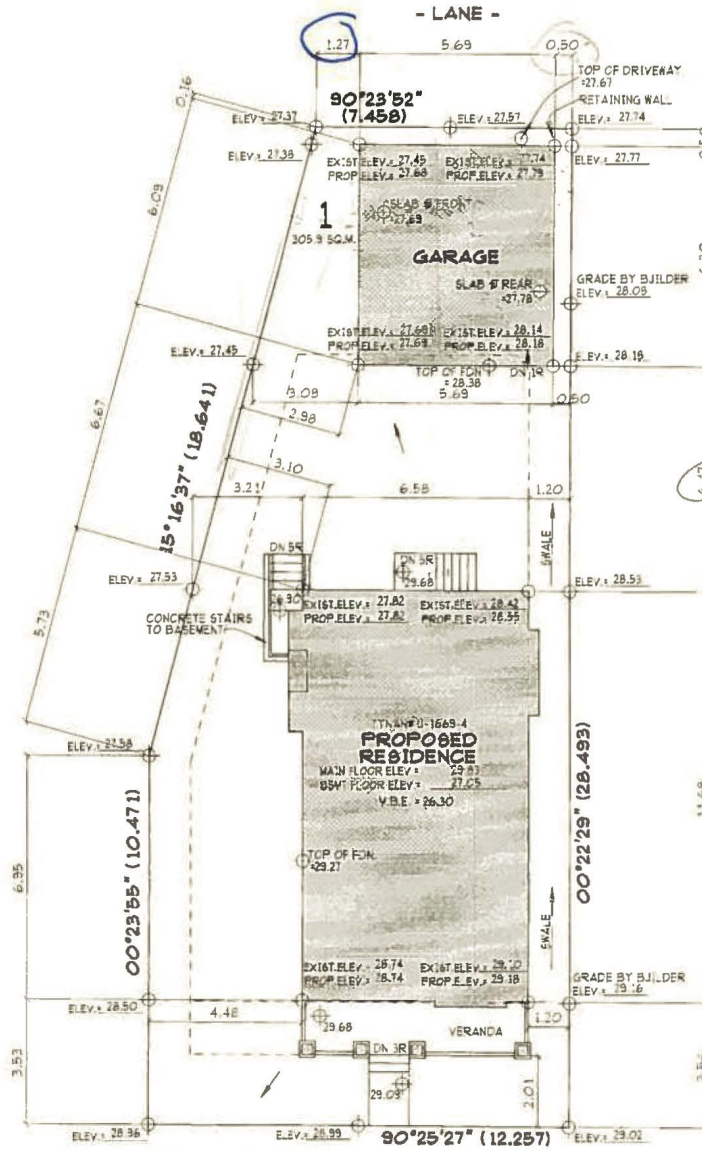
BASEMENT SLAB = 27.05 (52.9% EXISTING)

PROPOSED UNDERGROUND BASEMENT VOLUME:

AVG. BLDG. GRADE =
(27.82 + 28.55 + 28.74 + 29.18) / 4 = 28.573

50% UNDERGROUND ACHIEVED AT SLAB LEVEL
(28.573 - 1.39) = 27.183

BASEMENT SLAB = 27.05 (54.8% PROPOSED)

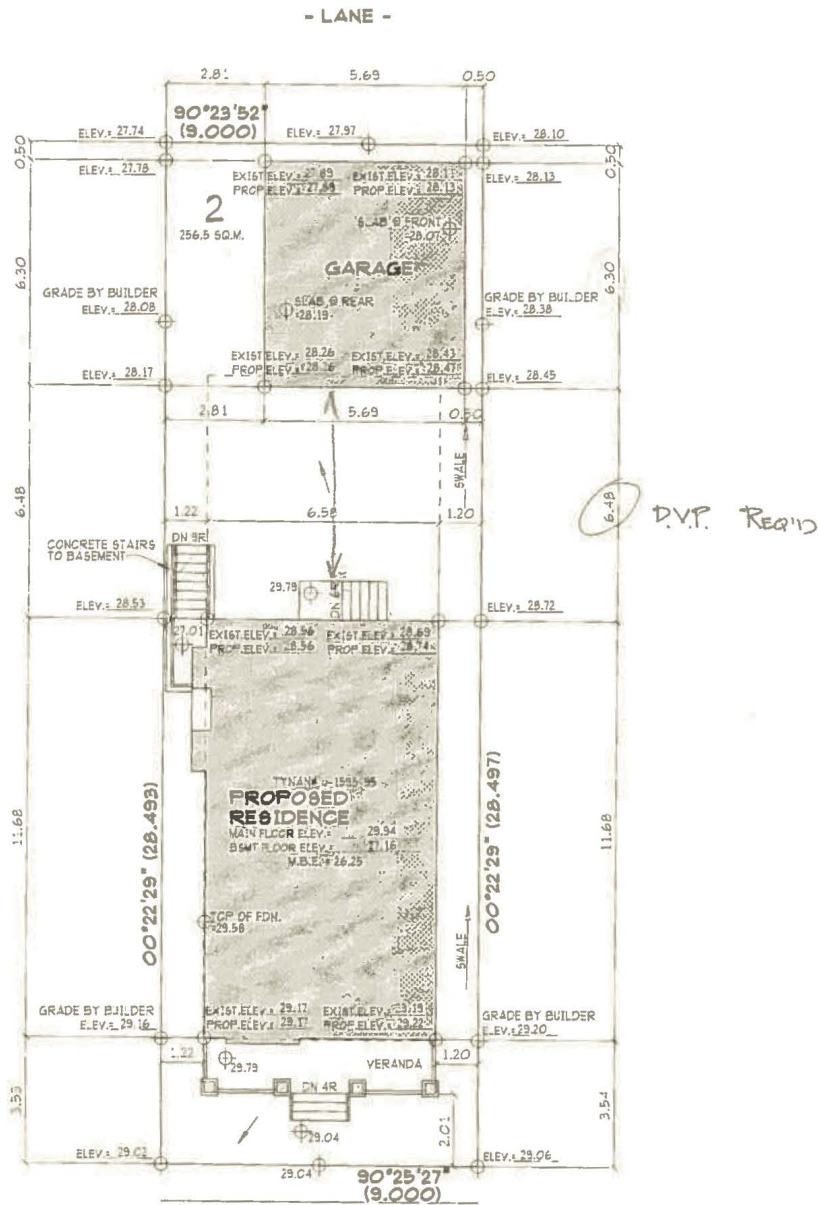




SITE PLAN

SCALE 1:100 (METRIC)

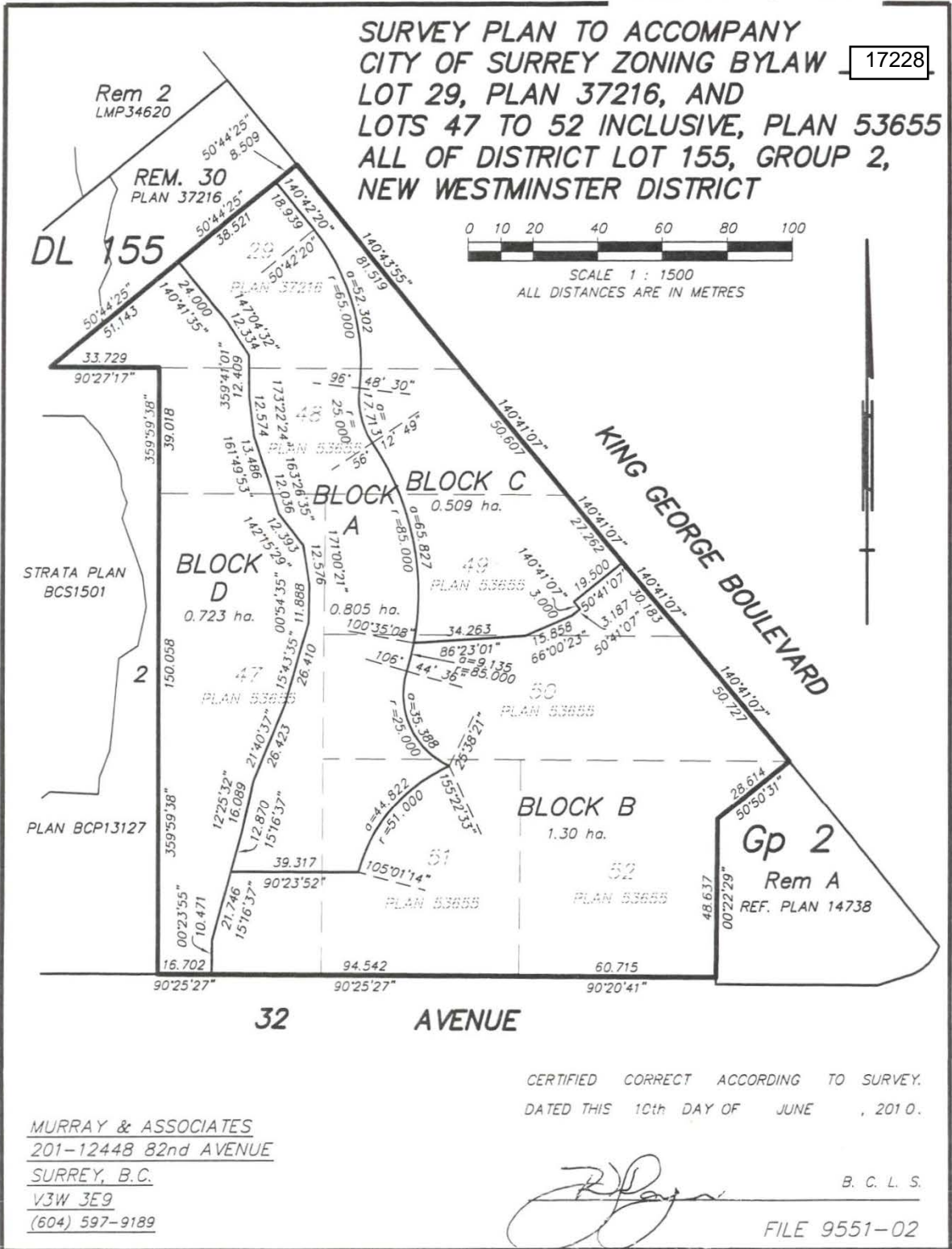
<p>LOT CALCULATIONS: CD-ZONING</p> <p>LOT AREA = 256.5 SQ.M. (2760.9 SQ.FT.)</p> <p>FLOOR AREA RATIO: MAX. ALLOWABLE FLOOR AREA = 1865 SQ.FT.</p> <p>PROPOSED :</p> <p>HOUSE = 1646</p> <p>ATTIC/UTILITY = 0 SQ.FT. (COUNT 160 SQ. FT.)</p> <p>TOTAL = 1806 SQ.FT.</p> <p>PROPOSED :</p> <p>GARAGE = 386 SQ.FT. (MAX 400 SQ.FT.)</p>
<p>SITE COVERAGE:</p> <p>MAX. ALLOWABLE @ 0.52 = 1435.7 SQ.FT.</p> <p>PROPOSED DWELLING = 969.4 SQ.FT.</p> <p>GARAGE = 386.0 SQ.FT.</p> <p>TOTAL PROPOSED = 1355.4 SQ.FT.</p>
<p>EXISTING UNDERGROUND BASEMENT VOLUME:</p> <p>AVG. BLDG. GRADE = (28.56 + 28.69 + 29.17 + 29.19) / 4 = 28.903</p> <p>50% UNDERGROUND ACHIEVED AT SLAB LEVEL (28.903 - 1.39) = 27.513</p> <p>BASEMENT SLAB = 27.16 (62.7% EXISTING)</p>
<p>PROPOSED UNDERGROUND BASEMENT VOLUME:</p> <p>AVG. BLDG. GRADE = (28.56 + 28.74 + 29.17 + 29.22) / 4 = 28.923</p> <p>50% UNDERGROUND ACHIEVED AT SLAB LEVEL (28.923 - 1.39) = 27.533</p> <p>BASEMENT SLAB = 27.16 (63.4% PROPOSED)</p>



D.V.P. REQ'D

SCHEDULE A

SURVEY PLAN TO ACCOMPANY CITY OF SURREY ZONING BYLAW 17228 LOT 29, PLAN 37216, AND LOTS 47 TO 52 INCLUSIVE, PLAN 53655 ALL OF DISTRICT LOT 155, GROUP 2, NEW WESTMINSTER DISTRICT



CERTIFIED CORRECT ACCORDING TO SURVEY. DATED THIS 10th DAY OF JUNE, 2010.

MURRAY & ASSOCIATES
201-12448 82nd AVENUE
SURREY, B.C.
V3W 3E9
(604) 597-9189

[Signature]
B. C. L. S.
FILE 9551-02